

RESOLUTION NO. 0352-04-08

WHEREAS, Resolution No. 403-4-65 was passed on April 14, 1965 establishing a standard fee for all administrative expenses connected with any relocation, vacation or other changes regarding public utility easements, now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, that said Resolution No. 403-4-65 is hereby rescinded and the following enacted in lieu thereof:

WHEREAS, the Public Works Department is recommending that the following be adopted for the vacation of public right-of-way, city property or a public easement to establish a standard fee for all administrative expenses connected with any relocation, vacation or other change regarding right-of-way, easement or encroachment:

1. That the application fee to request a public right-of-way vacation or city property vacation shall be \$1,000.00 (One thousand dollars).
2. That the application fee to request a public easement vacation shall be \$500.00 (Five hundred dollars).
3. That the closing cost fee to finalize a public right-of-way or city property vacation process shall be 5% (five percent) of the full fee land value (established by the City Assessor).
4. That the closing cost fee to finalize the public easement vacation process shall be \$100.00 (One hundred dollars).
5. That the applicant pays for publishing (in the Cedar Rapids Gazette) and recording fees (established by the County Recorder's Office) associated with the vacation.

and,

WHEREAS, the Public Works Department is recommending that the following be adopted for the encroachment onto public right-of-way or a public easement:

6. That the application fee for the request to encroach onto public right-of-way or a public easement shall be \$250.00 (Two hundred fifty dollars).
7. That the closing cost fee to finalize the process for an encroachment onto public right-of-way or public easement shall be \$100.00 (One hundred dollars).
8. That the applicant pays for recording fees (established by the County Recorder's Office) associated with the encroachment.

now therefore,

BE IT FURTHER RESOLVED, that the establishment of said fees in no way indicates or is intended to indicate that the City Council condones or will favorably act on any petition for the relocation, vacation or other change regarding right-of-way, easements or encroachments and that each such matter will be considered independently on its own merits, and

BE IT FURTHER RESOLVED, that in those instances wherein the City Council grants the application that the applicant will also be required to pay the fair market value for any interest in property obtained as established by the City Assessor, and

BE IT FURTHER RESOLVED, that the aforementioned fees are hereby approved and established by the City Council of the City of Cedar Rapids, Iowa and shall become effective on July 1, 2008.

Passed this 23rd day of April, 2008.

Voting: Council member McGrane moved the adoption of the resolution; seconded by Council member Fagan. Adopted, Ayes, Council members Fagan, Gulick, McGrane, Podzimek, Shey, Shields, Vernon, Wieneke and Mayor Halloran.

 \_\_\_\_\_, Mayor

Attest:

 \_\_\_\_\_, City Clerk